

INSTRUCTION NO. [8-202(a)]

**[Issues in Aggravated Animal Cruelty, 2003]**

To convict the Defendant of aggravated animal cruelty, the State must prove the following:

[That the Defendant killed or inflicted cruelty to an animal with the purpose of terrifying, torturing or mutilating the animal]

[That the Defendant inflicted cruelty to animals on a collection, kennel, or herd of 10 or more animals]

That the Defendant acted purposely or knowingly.

If you find from your consideration of the evidence that all of these elements have been proved beyond a reasonable doubt, then you should find the Defendant guilty.

If, on the other hand, you find from your consideration of all the evidence that any of these elements has not been proved beyond a reasonable doubt, then you should find the Defendant not guilty.

GIVEN: \_\_\_\_\_  
District Judge

Source: MCJI 8-202(a)

Plaintiff's Proposed Instruct. No. \_\_\_\_ Defendant's Proposed Instruct. No. \_\_\_\_

Given as Instruction No. \_\_\_\_ Refused \_\_\_\_ Withdrawn \_\_\_\_ By \_\_\_\_

**[Issues in Aggravated Animal Cruelty, 2003, Source and Comments]**

SOURCE: MCA § 45-8-217 (2003).

COMMENT: Cite as MCJI 8-202(a).

Use only the applicable bracketed language. Delete that which is not applicable.